

**MINUTES**  
**BOARD OF COMMISSIONERS MEETING**  
**General Session**  
**February 19, 2010**  
**Boise, Idaho**

President Doug Mushlitz called the General Session of the meeting of the Board of Commissioners of the Idaho State Bar to order at 8:30 a.m. at the Law Center in Boise, Idaho. In addition to President Mushlitz, in attendance for the meeting were Commissioners Newal Squyres, James Meservy, Deborah Ferguson, and Reed Larsen; Deputy Bar Counsel Julia Crossland, Deputy Executive Director Terri Muse, and Executive Director Diane Minnich, who acted as the secretary.

**CONSENT AGENDA**

**MINUTES**

It was moved, seconded and passed to approve the minutes of the January 15, 2010 meeting as submitted. The Commission inquired about minutes for the January meeting with the Idaho Supreme Court. The Executive Director will ask the Court about the minutes.

**MICHAEL MCDERMOTT**

Mr. McDermott joined the meeting at 8:30 a.m. to discuss the response he received from Bar Counsel in response to his letter to the Commission.

**GOVERNANCE AND REGULATORY SERVICES**

**LEGAL SERVICES STATE FUNDING** - The Commission discussed the issue of state funding for legal aid services in light of recent events. Lora Breen, ILAS Board member, joined the meeting for the discussion.

After considerable discussion, the Commission decided to prepare a letter to Idaho Legal Aid Services clarifying the Commission's authority and responsibility with respect to resolutions passed by the membership and to briefly point out its concerns about the approach taken by Idaho Legal Aid Services to obtain state funding for ILAS.

**REQUEST TO TRANSFER TO ACTIVE STATUS – Steven M. Johnson** – The Commission considered a request from attorney Steven M. Johnson to transfer his license from affiliate to active status. It was moved, seconded and passed to address the Arizona discipline issues prior to making a decision regarding the reactivation of Mr. Johnson's Idaho license.

**Robert Bilow** – The Commission considered a request from Robert Bilow to transfer his license from inactive to active status. It was moved, seconded and passed to approve the staff's recommendation to require Robert Bilow to pass the Idaho bar exam as a condition of transferring his license to active status.

**POLICIES AND PROCEDURES FOR ELECTRONIC COMMUNICATION** – The Commission considered proposed revisions to the Policies and Procedures for Electronic Communication. The proposed policy is intended to be consistent with current practice and update the policy to reflect changes in technology. It was moved, seconded and passed to approve the proposed Policies and Procedures for Electronic Communication.

**LICENSING BILL UPDATE** - The Executive Director reported on the status of the license fee bill. The bill was passed by the Senate and would next be considered by the House Judiciary and Rules Committee.

**MEMBERSHIP STATISTICS** – The Commission was provided with the membership statistics as of February 3, 2010; 5,347 members.

**IDAHO SUPREME COURT ORAL CONFERENCE MINUTES** – The Commission was provided with the January 26, 2010 Supreme Court Oral Conference minutes.

### **ADMINISTRATION AND SUPPORT**

**JANUARY FINANCIAL REPORTS** – The Executive Director reported that there is no January financial report because the 2009 financial records were still being finalized. The first 2010 financial report is scheduled for February.

### **MEMBER SERVICES**

**CASEMAKER** – Deputy Executive Director Terri Muse explained that currently Casemaker is only available to active members and judges. The license fees for active members were increased to offer Casemaker. She recommended that Casemaker be offered to affiliate members for a cost and to emeritus members at no cost. It was moved, seconded and passed to approve the recommendation to offer access to Casemaker to affiliate members for \$30 and to offer it at no charge to Emeritus members.

**UNIFORM SECTION BYLAWS** – The commission was provided with proposed changes to the Uniform Section Bylaws to conform to the recently adopted Section Funding Policy and to allow for email voting. It was moved, seconded and passed to approve the revisions to the Uniform Section Bylaws as submitted.

**INTELLECTUAL PROPERTY LAW SECTION REQUEST TO AMEND ITS BYLAWS** – The Commission considered a request from the Intellectual Property Law Section to amend its bylaws. It was moved, seconded and passed to approve amendments to the Intellectual Property Law Section that changes the Governing Council structure to allow for three vice presidents, each representing a different part of the state.

**PRACTICE SECTION UPDATE** – Deputy Executive Director Terri Muse provided written highlights of section activities for the past few months. Her oral report included the Water Law Section is becoming active again; the Indian Law section continues to evaluate its effectiveness and viability; and the YLS Attorneys against Hunger program is trying a social media plan for fundraising for the Idaho Foodbank Warehouse.

**LRS STATISTICS** – The Commission was provided with the January 2010 LRS statistics.

**SECTION LEADERS** – Two Section chairs: David Jensen, Business and Corporate Law Section, and Jim Dickinson, Professionalism and Ethics Section joined the Commissioners and staff for lunch. The section leaders reported on the activities of the sections.

**EXECUTIVE SESSION**

After an aye vote was recorded from each Commissioner, the Commission moved into Executive Session at 11:25 a.m. The Executive Session concluded at 12:05 p.m.

There being no further business, the General Session adjourned at 1:00 p.m.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Diane K. Minnich". The signature is fluid and cursive, with the first name "Diane" and last name "Minnich" clearly distinguishable.

Diane K. Minnich  
Executive Director